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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAFAEL ESPINOZA,)	Case No. 1:23-cv-01499-BAM
Plaintiff,)	STIPULATION AND PROPOSED
vs.)	ORDER FOR EXTENSION OF
)	TIME
MARTIN O'MALLEY, Commissioner)	
of Social Security ¹ ,)	
Defendant.)	

Pending the Court's approval, IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from January 22, 2024 to March 22, 2024, for Plaintiff to serve on defendant with PLAINTIFF'S

¹ Martin O'Malley became the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 MOTION SUMMARY JUDGMENT. All other dates in the Court's Scheduling
2 Order shall be extended accordingly.

3 This is Plaintiff's first request for an extension of time. Plaintiff respectfully
4 states that the requested extension is necessary due several merit briefs being due
5 on the same week. . For the weeks of January 22, 2024 and January 29, 2024,
6 Counsel has eleven merit briefs due. Counsel requires additional time to brief the
7 issues thoroughly for the Court's consideration. Defendant does not oppose the
8 requested extension. Counsel apologizes to the Defendant and Court for any
9 inconvenience this may cause.

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11 Respectfully submitted,

12 Dated: January 17, 2024

PENA & BROMBERG, ATTORNEYS AT LAW

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14 By: /s/ Jonathan Omar Pena
15 JONATHAN OMAR PENA
16 Attorneys for Plaintiff

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18 Dated: January 17, 2024

PHILLIP A. TALBERT
United States Attorney
MATHEW W. PILE
Associate General Counsel
Office of Program Litigation
Social Security Administration

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24 By: */s/ Michael Marriott
25 Michael Marriott
26 Special Assistant United States Attorney
27 Attorneys for Defendant
28 (*As authorized by email on January 17, 2024)

ORDER

Pursuant to stipulation, and cause appearing, Plaintiff's request for an extension of time to March 22, 2024, to file a Motion for Summary Judgment is GRANTED. All other deadlines in the Court's Scheduling Order are extended accordingly. The parties are advised that further extensions of time will not be granted absent a demonstrated showing of good cause.

IT IS SO ORDERED.

Dated: January 18, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE